

Chapter 251 Tentative Maps

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251.02 General

A tentative map shall be required for all subdivisions as to which a final or parcel map are required by this title. The form and contents, submittal, and approval of tentative maps shall be governed by the provisions of this chapter.

251.04 Form and Contents

The tentative map shall be prepared in a manner acceptable to the Director and shall be prepared by a California-registered civil engineer or California-licensed land surveyor. It shall show lot lines, existing and proposed topography, existing and proposed public improvements, and such other information as may be required by the City Engineer. Sufficient data or calculations may be required by the City Engineer to show adequacy of existing or proposed infrastructure elements.

The Director may waive any of the tentative map requirements if circumstances justify a waiver or if the type of subdivision does not need to comply with these requirements as provided in Section 251.20.

251.06 Accompanying Data and Reports

The tentative map shall be accompanied by the following data and reports:

- A. Environmental Review. An environmental assessment shall be submitted, unless exempt, to allow a determination to be made in accordance with the California Environmental Quality Act.
- B. Title Report. A preliminary title report, not more than six months old and acceptable to the Department showing the legal owners at the time of filing the tentative map.
- C. Geotechnical Reports. Three copies of a preliminary soils report and engineering geology report, unless this requirement is waived by the Director.
- D. Other Reports. Any other data or reports deemed necessary by the Department.
 - 1. If the City Engineer has knowledge of, or the preliminary soils and geology reports indicate, the presence of soil or geologic conditions which, if corrective measures are not taken, would lead to structural defects, a soils and/or geologic investigation of each lot in the subdivision may be required by the Director. Such soils and/or geologic investigation shall address the adequacy of the sites to be developed by the proposed grading and the effect of the soil or geologic conditions on the proposed development. The City may approve the subdivision, or portion thereof, where soils or geologic problems exist if the City determines that the recommended actions provide for acceptable procedures and design criteria for corrective measures. A condition of the issuance of any foundation permit will require that the approved recommended action be completed and certified as having been done in compliance with the report.
 - 2. When preliminary soils and/or geology reports are prepared, final reports shall be submitted prior to the acceptance of the improvements or the release of occupancy permits indicating the specific actions taken pursuant to the preliminary report recommendations. Such reports shall contain complete and sufficient field data to indicate full compliance with the preliminary report or subsequent progress report recommendations as they were applied to specific areas or improvements. If the report is found to be incomplete, inaccurate, or unsatisfactory, the Director may require additional information or may reject the report.
 - 3. A preliminary soils and/or geology report may be waived by the Director provided the Director finds that, due to the knowledge the City has as to the soil and geologic conditions in the subdivision, no preliminary analysis is necessary. Such knowledge would include the nature, distribution, and strength of the existing soils, and the necessary grading procedures and design criteria for corrective measures, and the geology of the site and the effect of geologic conditions on the proposed development.

251.08 Hearings and Action

- A. Subdivision Committee. Whenever a property is to be subdivided into 5 or more parcels, the Subdivision Committee may hold a public hearing prior to reporting on the tentative map for said subdivision. Notice of the time and place thereof, including a general description of the subject matter shall be given at least 10 days before the hearing. Copies of said notice shall be mailed to the subdivider, engineer, property owner of the property proposed for subdivision. Notice shall also be given to each local agency expected to provide water, sewage, streets, schools, or other essential facilities or services to the subdivision.
- B. Notice of Public Hearings. Upon receipt of an application that is accepted as complete, the Department shall set a date for a public hearing, provide notice as required by Chapter 248 and prepare a report with recommendations. A copy of the Department report shall be forwarded to the subdivider at least three working days prior to the public hearing.
- C. Planning Commission Action. The Planning Commission or Zoning Administrator as the case may be, shall approve, conditionally approve, or deny a tentative map within 50 days after the tentative map has been accepted. This time period shall commence after certification of the environmental impact report, adoption of the negative declaration, or determination that the project is exempt from the requirements of Division 13 (commencing with Section 21000) of the Public Resources Code.
- D. Factors to be Considered. In reaching a decision upon the tentative map, the Planning Commission or Zoning Administrator shall consider the effect of that decision on the housing needs of the region and balance these needs against the public service needs of its residents and available fiscal and environmental resources.
- E. Approval. The tentative map may be approved or conditionally approved if the following findings are made:
 - 1. That the proposed map is consistent with the General Plan or any applicable specific plan, or other applicable provisions of this Code;
 - 2. That the site is physically suitable for the type and density of development;
 - 3. That the design of the subdivision or the proposed improvements will not cause serious health problems or substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. Notwithstanding the foregoing, the Planning Commission or Zoning Administrator may approve such a tentative map if an environmental impact report was prepared with respect to the project and a finding was made that specific economic, social or other considerations make infeasible the mitigation measures or project alternatives identified in the environmental impact report;

4. That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision unless alternative easements, for access or for use, will be provided.

- F. Denial. The Planning Commission or Zoning Administrator shall deny approval of a tentative subdivision map if it determines that approval will result in any of the conditions as described in Government Code Section 66474.

251.10 Waiver of Time Limits for Zoning Administrator or Planning Commission Action

Any applicable time limits for acting on the tentative map may be extended by mutual consent of the subdivider and the Planning Commission or Zoning Administrator. A waiver of applicable time limits may be required to permit concurrent processing of related project approvals or environmental review on the same development project.

251.12 Appeals of Planning Commission or Zoning Administrator Action

The subdivider or any interested person adversely affected by action under Section 251.08 may, within 10 days after the decision, file an appeal under the provision of Chapter 248.

251.14 Expiration

- A. The approval or conditional approval of a tentative map shall expire 24 months from its approval. The period of time may be lengthened if the project is subject to Section 66452.6(a), (b) and (c) of the Subdivision Map Act.

251.16 Extensions

- A. Request by Subdivider. The subdivider may request an extension of the expiration date of the approved or conditionally approved tentative map by written application to the Department. The application and any required fee shall be filed not less than 30 days before the map is to expire and shall state the reasons for requesting the extension.
- B. Action. The Department shall review the request, determine whether a public hearing is required based on changing conditions in the area, and submit the application for the extension, together with a report, to the Planning Commission or Zoning Administrator for approval, conditional approval, or denial at the next scheduled meeting. A copy of the Department's report shall be forwarded to the subdivider prior to the Planning Commission meeting on the extension. After conducting a public hearing or reviewing the request, the Planning Commission or Zoning Administrator may approve or deny the requested extension.
- C. Time Limit of Extensions. The time at which the tentative map expires may be extended for a period of time of up to one year, with a maximum of three one-

year extensions of time. The extensions of time shall commence with the expiration date of the approved or conditionally approved tentative map. The approved new date shall not extend more than 5 years beyond the date of initial approval.

- D. Appeal of Extension. The subdivider or any interested person adversely affected may appeal any action on an extension in accordance with Chapter 248, except that any such appeal shall be filed within 15 days after the action.

251.18 Amendments to Approved or Conditionally Approved Tentative Map

Minor amendments to the approved or conditionally approved tentative map or conditions of approval may be approved by the Department upon application by the subdivider provided:

- A. No units, building sites, or structures are added;
- B. Changes are consistent with the intent and spirit of the original tentative map approval;
- C. There are no resulting violations of this Code.

The amendment shall be indicated on the approved or conditionally approved tentative map and certified by the Director. Amendments to the tentative map conditions of approval which, in the opinion of the Department, are not minor, shall be presented to the Planning Commission or Zoning Administrator for its approval. Processing shall be in accordance with the provisions for processing a tentative map as set forth in this chapter. Any approved amendment shall not alter the expiration date of the tentative map, but extensions may be granted under the provisions of Section 251.16.

251.20 Waiver of Parcel Map Requirements

- A. The Zoning Administrator may, at his or her discretion, waive the requirements for a parcel map for the following:
 - 1. Division of real property or interests therein created by eminent domain procedures, partition, or other civil judgments or decrees.
 - 2. Division of property resulting from conveyance of land or interest therein to or from the City, public entity or public utility for a public purpose, such as school sites, public building sites, or rights-of-way or easements for streets, sewers, utilities, drainage, etc.
 - 3. Division of property which has been merged pursuant to this Title, the Subdivision Map Act or any prior ordinance of the City.
 - 4. A subdivision of four (4) parcels or less wherein each resulting parcel contains a gross area of forty (40) acres or more.

5. A subdivision of four (4) parcels or less only for the purpose of leasing the parcels resulting from such subdivision.
 6. A consolidation of four (4) or less contiguous parcels under the same ownership which were created under the provisions of this chapter and when consolidated contain less than five (5) acres, abutting upon a maintained public street or highway and no dedications or improvements are required by this chapter or by the Zoning Administrator.
- B. The Zoning Administrator, in consultation with the City Engineer, shall make a finding that the proposed division of land complies with requirements as to: (1) area; (2) the City's Standard Engineering Specifications for improvement and design, flood water drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, and environmental protection; and (3) other requirements of the Subdivision Map Act and this Code.
 - C. Upon the waiver of the parcel map requirement pursuant to this section, the Department shall file with the County Recorder a certificate of compliance for the land to be divided, and a plat map showing the division. The certificate shall include a certificate by the County Tax Collector in accordance with the Subdivision Map Act.
 - D. A waiver by the Zoning Administrator may be conditioned to provide for payment by the subdivider of park land dedication, drainage, and other fees by a method approved by the Zoning Administrator.